

Wetlands Bureau Decision Report

Decisions Taken
02/14/2005 to 02/20/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

1999-02295

UNIVERSITY OF NEW HAMPSHIRE

DURHAM Unnamed Wetland College Brook; Pettee Brook; Oyster River

Requested Action:

Request amendment to dredge and fill an additional 12,128 sq. ft. for required design changes to the UNH Loop Road (McDaniel Drive Extension) and the Southwest Campus expansion.

Conservation Commission/Staff Comments:

Con. Com. comments have been addressed in the permit conditions of approval.

Inspection Date: 05/01/2000 by Dori A Wiggin

APPROVE AMENDMENT:

Approve amendment to dredge and fill an additional 12,128 sq. ft. for required design changes to the UNH Loop Road (McDaniel Drive Extension) and the Southwest Campus expansion on existing permit to:

Fill 29,520 sq. ft. of emergent, scrub-shrub, and forested wetlands at ten different locations for the construction of a loop access road and installation of culverts as part of a two-phase campus expansion for the University of New Hampshire ("UNH"); fill 1,390 sq. ft. of emergent and forested wetland at two locations for the construction of a footbridge; fill 570 sq. ft. of forested wetland for the construction of an access road and installation of a culvert to access the campus expansion area. As mitigation, conduct enhancement of 68,600 sq. ft. of a degraded wetland dominated by the invasive plant reed canary grass (*Phalaris arundinacea*). Total revised project impacts to Department of Environmental Services Wetlands Bureau jurisdiction is 43,613 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Maguire Group Inc. dated September 1999, as received by the Department on November 12, 1999 and revised plan sheet number PP-5 as received by the Department on May 24, 2000.
- 1a. All work approved as an amendment shall be in accordance with plans by Maguire Group, Inc. dated November 2004 as received by the Department on November 03, 2004
2. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon completion.
3. Any further alteration of wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Wetland boundaries at or near the impact areas are to be clearly marked prior to the start of clearing or construction.
8. There shall be no further alteration of wetlands for lot development, driveways, or culverts.
9. Proper headwalls shall be installed and side slopes shall be properly stabilized.
10. This permit is contingent on approval by the DES Site Specific Bureau.
11. Construction equipment shall not be located within surface waters.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for urban and Developing Areas in New Hampshire (August, 1992).
13. No work shall occur within 20 ft. to the B&M Railroad property unless the applicant receives written concurrence from the owner of B&M Railroad and sends a copy of the written concurrence to DES.

Compensatory Wetlands Mitigation:

1. This permit shall be contingent on the enhancement of 48,576 sq. ft. of a degraded wetland on UNH property that is dominated by the invasive plant reed canary grass (*Phalaris arundinacea*). In addition, an upland buffer of 4,700 sq. ft. will be planted to the southeast of the restoration area.
2. The schedule for mitigation construction shall be submitted to the Wetlands Bureau for review.
3. The compensatory wetlands mitigation plan will be implemented to coincide with Phase II of the approved project.
4. The final mitigation plans including planting schedule for the wetland enhancement area shall be submitted for review by the Wetlands Bureau.
5. Wetland soils from areas vegetated with *Phragmites* or purple loosestrife shall not be used in the wetland enhancement area. In other areas the applicant considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
6. The wetland enhancement area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
7. The wetland enhancement area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
8. The permittee shall designate and retain a qualified professional who will have the responsibility to assure that the enhancement area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project. The qualified professional shall be retained for the duration of the monitoring period to provide the monitoring reports to DES.
9. Monitoring reports describing and evaluating mitigation progress shall be submitted to DES Wetlands Bureau according to the following schedule:
 - a) upon completion of construction;
 - b) at the end of the first growing season;
 - c) at the beginning, middle, and end of subsequent growing seasons until final delineation occurs at five years post-construction.
10. The applicant shall conduct a follow-up inspection after the first growing season to review the success of the enhancement area and schedule remedial actions if necessary. A report outlining these follow-up measures and schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second or third years following the initial completion of the enhancement site. After at least five full growing seasons, the applicant shall delineate the wetlands within the enhancement area, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans.
11. After at least five full growing seasons, the permittee shall submit to DES Wetlands Bureau delineation of the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans, and submit a narrative functional assessment of the newly created wetland.
12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

With Findings:

1. Impact of 43,613 sq. ft. of wetland is classified as a major impact project per Rule Wt 303.02(c).
 - 1a. The requested amendment is reasonable and avails the University of New Hampshire of the best solution for the construction of the loop road and southwest campus expansion.
2. Public hearing is waived based on DES staff field inspection on May, 2000 with the finding that the project impacts will not substantially impair the resources of this freshwater ecosystem.
3. The location of the access loop road is through the narrowest area of the wetlands and on the fringes of wetlands.
4. A functional analysis of the wetland impact areas, completed by NH Soil Consultants, Inc. on November 24 and 25, 1998 and January 27, 1999, concluded that each of the nine wetland complexes impacted by the permanent fills have been previously disturbed from past development activities.
5. The applicant has adequately demonstrated that the proposal must cross wetlands at some locations on UNH property to access proposed buildings for the campus expansion and has thereby demonstrated need as required by Wt 302.01(b). There are no wetland impacts associated with the construction of the proposed buildings.

6. The applicant has adequately demonstrated need, avoidance, and minimization as required by Wt 302.01(b), Wt 302.03, and Wt 302.04(a)(2), respectively, by limiting the wetlands impact to only those crossings necessary to access uplands for construction.

2002-01949 GIEBUTOWSKI, FRANK
WOLFEBORO Lake Winnepesaukee

Requested Action:

Request to reconfigure seasonal pier associated with proposed dug-in boathouse.

Inspection Date: 11/14/2002 by Darlene Forst

APPROVE AMENDMENT:

Amend permit to read: Remove a 750 sq ft, 3-slip, boathouse from public waters, and a 23 ft x 5 ft 9 in concrete pad from the bank and re-stabilize 23 ft of shoreline with rip-rap and vegetation. Dredge 24 cu yd from 325 sq ft of lakebed and excavate 115 sq ft along 44 linear ft of bank to construct a 38 ft x 38 ft, 2-slip, dug-in boathouse with a 4 ft x 17 ft cantilevered pier on an average of 188 ft of frontage on Lake Winnepesaukee in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction as revised December 13, 2004, as received by the Department on December 27, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 525.8) above the interior deck surfaces.
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. All portions of the existing boathouse and concrete pad shall be completely removed from the frontage prior to the construction of any new structures on the frontage.
14. The seasonal pier shall be removed for the non-boating season.
15. Rip-rap placed to restore the shoreline after the removal of the concrete pad shall be placed landward of the normal high water line (Elevation 504.32).
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(g), dredge of more than 20 cu yd from public waters.
2. The proposed reconfiguration of the seasonal wharf to a seasonal pier will not increase the project impacts nor the number of slips provided by the docking facility.
3. The NH DES Wetlands Bureau reaffirms it's original findings for approval of April 2, 2003.

-Send to Governor and Executive Council-

2004-01675 KRANZER, EDGAR & MARIA NOWLAND
GREENLAND Great Bay

Requested Action:

Construct a 6'x24' permanent fixed pier to a 3'x52' seasonal ramp to a 10' x 20' seasonal float providing two 10' slips on 400' of frontage on Great Bay.

Inspection Date: 02/17/2005 by Eben M Lewis

APPROVE PERMIT:

Construct a 6'x24' permanent fixed pier to a 3'x52' seasonal ramp to a 10' x 20' seasonal float providing two 10' slips on 400' of frontage on Great Bay.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 6/28/04, as received by the Department on 7/21/05.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. DES Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be done during low tide.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. The decking of the fixed pier shall have a minimum of 6 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks and the 3-foot ramp shall have a minimum of 3 ft. clearance from the surface of the tidal marsh.
10. The float of this structure shall be constructed with rails to prevent it from sitting directly on the mud at low tide.
11. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
12. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetland or bogs.
2. Public hearing is waived based on DES staff field inspection on 02/17/2005, with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem and that the proposed dock will not impede navigation.
3. NH Natural Heritage Bureau (NHNHB) has identified one state listed threatened species within the vicinity of the project, Marsh Elder (*Iva frutescens* ssp. *oraria*). DES review of this application and field inspection finds that the NHNHB identified species will not be impacted as a result of this project.
4. This dock is consistent with other tidal dock approvals in the seacoast.
5. The NH PDA Division of Ports and Harbors, per letter dated July 26, 2004, reports that this project will have no impact on navigation in the area.

6. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c) for tidal projects, Requirements for Application Evaluation, has been considered in the design of the project.

-Send to Governor and Executive Council-

2004-01722 BOUDREAU, LOUIS & SUZANNE
GILFORD Lake Winnepesaukee

Requested Action:

Deny permit due to untimely response to More Information Request letter.

Conservation Commission/Staff Comments:

Con. Com. does not object to project.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit due to untimely response to More Information Request letter.

With Findings:

1. A request for additional information dated September 13, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2004-02719 CLARK, JAMES
GOFFSTOWN Unnamed Pond

Requested Action:

Dredge and fill a total of 20,525 square feet of wetlands and 150 linear feet of brook to expand an existing agricultural pasture pond involving 16,445 square feet of dredge and 4,080 square feet of fill for berm construction, in accordance with the applicant's conservation district cooperator's agreement and "Best Management Wetlands Practice for Agriculture", NH Department of Agriculture, July 16, 1993.

Conservation Commission/Staff Comments:

Con. Com. intervened; does not object.

Inspection Date: 12/17/2005 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 20,525 square feet of wetlands and 150 linear feet of brook to expand an existing agricultural pasture pond involving 16,445 square feet of dredge and 4,080 square feet of fill for berm construction, in accordance with the applicant's conservation district cooperator's agreement and "Best Management Wetlands Practice for Agriculture", NH Department of Agriculture, July 16, 1993.

With Conditions:

1. All work shall be done in accordance with plans by Arthur F. Siciliano Jr., dated October 2004, and received by DES on November 8, 2004. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. This permit shall be recorded with the county Registry of Deeds office by the permittee.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(u), maintenance or improvement of existing pasture land for continued agricultural use.
3. The applicant has provided evidence which demonstrates that this proposal complies with the requirements of Rule Wt 303.04 (u) (1)-(8), including, but not limited to that this project complies with the "Best Management Practices for Agriculture" ("BMPA") July 16, 1993; this project is necessary to a pre-existing and bonafide agricultural operation; and the applicant is a cooperator with the Hillsborough County Conservation District.
4. With respect to Wt 303.04 (u)(5) alteration of wet meadows except where specifically described in the BMPA, the BMPA section on "Design Criteria for Embankment Ponds" specifically describes the impoundment of stream flow, and associated structural, upstream, and downstream considerations for this type of pond.
5. With respect to Wt 303.04 (u)(7) relative to inclusion of very poorly drained soils, the area of the stream, approximately 750 square feet, represents significantly less than the 15% (approximately 4%) of the total area of impact.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

MINOR IMPACT PROJECT

2004-00444 BLIZZARD, PAUL
LACONIA Lake Winnepesaukee

Requested Action:

Modify an existing docking structure by repairing the cribs, extending the southern dock to a 5 ft by 50 ft structure, reducing the overall square feet of impact, adding two tie off piles and relocating the seasonal canopy 5 ft further lakeward on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com has no concerns

Inspection Date: 04/28/2004 by Dale R Keirstead

APPROVE PERMIT:

Modify an existing docking structure by repairing the cribs, extending the southern dock to a 5 ft by 50 ft structure, reducing the overall square feet of impact, adding two tie off piles and relocating the seasonal canopy 5 ft further lakeward on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine dated February 27, 2004, as received by the Department on March 18, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. This permit does not allow for maintenance dredging.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 28, 2004.

2004-00535 RYAN, E DOUGLAS
CONCORD Unnamed Wetland

Requested Action:

Approve name change to: HT Properties, LLC, 54 Jaconnet St., Ste 100, Newton Highlands, Ma 02461 per request received 2/14/2005.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE NAME CHANGE:

Fill 2900 square feet of man made wetland/detention area for traffic flow improvements and additional parking.

With Conditions:

1. All work shall be in accordance with plans by Eric C Mitchell and Associates Inc dated March 18, 2004 and revised through September 27, 2004, as received by the Department on October 4, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by netting and pinning on slopes steeper than 3:1.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-01408

LANDERS TRUST, JOSEPH

MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 300 sq ft 'U' shaped seasonal docking structure, and construct two 4 ft x 36 ft crib supported piers connected by a 6 ft x 12 ft walkway, install a 14 ft x 30 ft seasonal canopy with a 10 ft x 12 ft seasonal boat lift, install two seasonal jet ski lifts, convert an existing boat ramp into a 12 ft x 15 ft perched beach with stairs accessing the beach and the water, and reset three rocks on an existing jetty on an average of 154 ft of frontage on Meredith Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Permanently remove an existing 300 sq ft 'U' shaped seasonal docking structure, and construct two 4 ft x 36 ft crib supported piers connected by a 6 ft x 12 ft walkway, install a 14 ft x 30 ft seasonal canopy with a 10 ft x 12 ft seasonal boat lift, install two seasonal jet ski lifts, convert an existing boat ramp into a 12 ft x 15 ft perched beach with stairs accessing the beach and the water, and reset three rocks on an existing jetty on an average of 154 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with perched beach plans by Watermark Marine dated June 10, 2004, as received by the Department on June 25, 2004, and dock plans by Watermark Marine dated June 10, 2004 as received by the Department on August 25, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Excavated material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Jetty repair shall maintain existing size, location and configuration, no additional rocks shall be added to the structure and there shall be no increase in height above the current elevation.
6. This permit does not allow for maintenance dredging.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
10. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32).
11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
16. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
17. All seasonal structures shall be removed for the non-boating season.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a permanent 3-slip docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 15, 2004. Field inspection determined the proposed construction will not impact the waterbody more than the existing structures.

2004-01703 ADAMS, STEPHEN & BARBARA
MONT VERNON Unnamed Pond

Requested Action:

Dredge 3,735 square feet of scrub-shrub wetland for the construction of a wildlife pond on a single family residential lot.

Conservation Commission/Staff Comments:

The Mont Vernon Conservation Commission signed the application.

Inspection Date: 02/02/2005 by Eben M Lewis

APPROVE PERMIT:

Dredge 3,735 square feet of scrub-shrub wetland for the construction of a wildlife pond on a single family residential lot.

With Conditions:

1. All work shall be in accordance with the plans by Richard W. Bond dated December 3, 2004, as received by the Department on December 15, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be conducted during (seasonal) low flow conditions.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Machinery shall not be located within surface waters, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional areas.
10. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
11. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1;

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e), construction of a pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 2/2/2005.

2004-01881 FLENNIKEN REVOC TRUST, JUDITH
HOLDERNESS Little Squam Lake

Requested Action:

Deny as untimely response to More Information Request letter.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny as untimely response to More Information Request letter.

With Findings:

1. A request for additional information dated September 17, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2004-02007 FREGEAU, RICH
MADISON Unnamed Stream

Requested Action:

Dredge and fill a total of 180 sq. ft. to install 18" x 25' culverts in two separate location for driveway crossings with 75 sq. ft. of impact each, and impact 30 sq. ft. to install a sewer line crossing under a seasonal drainage, for a single family lot.

Conservation Commission/Staff Comments:

Signed expedited application.

Inspection Date: 09/29/2004 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 180 sq. ft. to install 18" x 25' culverts in two separate location for driveway crossings with 75 sq. ft. of impact each, and impact 30 sq. ft. to install a sewer line crossing under a seasonal drainage, for a single family lot.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys dated January 11, 2005, as received by the Department on January 12, 2005, and per amended detail sheet of same plan by Thaddeus Thorne as received by the Department on February 17, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert(s) and associated fill for vehicular access to a single family building lot; and Rule Wt 303.04(ae) temporary impacts for installation of a residential utility line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. This proposal represents a decrease of impact from that permitted under file 98-18, by eliminating redirection of 175 linear feet of a seasonal stream and limiting impact to two small necessary culvert crossings, and a temporary impact for a sewer line.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02306 FAITH CHRISTIAN CENTER INC
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill a total of 19,826 sq. ft. of wetlands, including: 9,565 sq. ft. (160 linear ft.) for construction of a conspan bridge over the Tioga

Brook, and another 1,238 sq. ft. at three locations for roadway edge fill, totaling 10,261 sq. ft. for access impacts associated with roadway construction; and a total of 9,023 sq. ft. over three isolated wetland locations for fill for lot development, for construction of a church facility.

Approve as mitigation a conservation easement on 9.6 acres, composed of 4.9 acres of upland and 4.7 acres of wetland, to be conveyed to the Town of Bedford Conservation Commission.

Conservation Commission/Staff Comments:

Con. Com. recommended approval. Conditions and restrictions as requested by the Con. Com. are included in the approval to the extent of the Bureau's jurisdiction.

Inspection Date: 11/02/2004 by Dori A Wiggin

Inspection Date: 11/30/2004 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 19,826 sq. ft. of wetlands, including: 9,565 sq. ft. (160 linear ft.) for construction of a conspan bridge over the Tioga

Brook, and another 1,238 sq. ft. at three locations for roadway edge fill, totaling 10,261 sq. ft. for access impacts associated with roadway construction; and a total of 9,023 sq. ft. over three isolated wetland locations for fill for lot development, for construction of a church facility.

Approve as mitigation a conservation easement on 9.6 acres, composed of 4.9 acres of upland and 4.7 acres of wetland, to be conveyed to the Town of Bedford Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated 5/14/2004, revised 10/04/2004, as received by the Department on 11/15/2004.

2. This permit shall supercede permit number 2002-1372 issued to Surfsong Properties for the road way crossing of the Tioga Brook.
3. This permit is contingent on approval by the DES Site Specific Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland preservation:

1. This permit is contingent upon the execution of a conservation easements on a total of 9.6 acres as depicted on plans by TF Moran, Inc., entitled "Easement Plan", dated May 14, 2004 received February 9, 2005, to be conveyed to the Town of Bedford.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.02(h), alteration of less than 20,000 sq. ft. in the aggregate of non-tidal wetlands or surface waters; and Rule Wt 303.02 (l), projects that disturb less than 200 linear feet of perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. Per letter from the applicant dated 2/1/2005, received by DES on 2/9/2005 the applicant's current Bedford location on NH Rt. 3 south of the project site was purchased by NHDOT for the 2005 construction of the Manchester Airport Access road project, and this site represents the only reasonable, available site that would relocate this church in the community which it serves.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant reduced the impacts from an original 40,510 sq. ft. proposed to 19,826 sq. ft., which includes and incorporates 10,261 sq. ft. of impact from a previous permit granted for this site under file number 2002-1372. This approval will supercede permit 2002-1372. Additionally, the applicant has revised the plan to preserve the large (approximately 21,000 sq. ft.) wetland found to have vernal pool functions and impact smaller, less functional, isolated wetlands instead.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project. With respect to the two listed species related to the site: per letter dated 2/14/2005, received by DES on 2/16/2005, NH Fish and Game Department reports that the project, 350+ feet from the Merrimack River, will not likely impact the state-endangered brook floater mussel; and similarly, based the project's distance from the river, any impact to the state and federally listed bald eagle will be limited. The Town of Bedford has responded to NH Fish and Game's concern regarding increased pedestrian traffic on the Heritage Trail during the eagle's winter roosting period by installing a high fence with a locked gate to prevent access to the sensitive portions of the trail during the critical winter months.

5. DES Staff conducted a field inspection of the proposed project on 11/30/2005.

2004-02326 FITZGIBBONS, JAMES & NAOMI
MERIDEN Unnamed Wetland

Requested Action:

Dredge and fill 9,500 square feet of wet meadow for the construction of a wildlife pond.

Conservation Commission/Staff Comments:

The Plainfiled Conservation Commission signed the Minimum Impact Expedited Application.

Inspection Date: 10/26/2004 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill 9,500 square feet of wet meadow for the construction of a wildlife pond.

With Conditions:

1. All work shall be in accordance with the Site Plans (Drawings D1 & D-2) by James S. Kennedy dated July 16, 2004 as revised on January 13, 2005, as received by the Department on January 18, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be conducted during (seasonal) low flow conditions.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Machinery shall not be located within surface waters, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional areas.
10. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
11. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1;

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), construction of a pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02433 SNOPL INC
HOOKSETT Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,975 sq. ft. of wetlands over six locations as follows, for construction of a roadway to access nine industrial lots: Impact 1 - 700 sq. ft. of impact to an intermittent stream to install a 24" x 88 linear ft. culvert; Impact 2 - 75 sq. ft. of wetland impact associated with roadway slope grading; Impact 3 - 300 sq. ft., Impact 4 -200 sq. ft., Impact 5 - 600 sq. ft., Impact 6- 1,100 sq. ft., wetland impacts all for outlet stabilization.

Conservation Commission/Staff Comments:

Did not report.

APPROVE PERMIT:

Dredge and fill a total of 2,975 sq. ft. of wetlands over six locations as follows, for construction of a roadway to access nine industrial lots: Impact 1 - 700 sq. ft. of impact to an intermittent stream to install a 24" x 88 linear ft. culvert; Impact 2 - 75 sq. ft. of wetland impact associated with roadway slope grading; Impact 3 - 300 sq. ft., Impact 4 -200 sq. ft., Impact 5 - 600 sq. ft., Impact 6- 1,100 sq. ft., wetland impacts all for outlet stabilization.

With Conditions:

1. All work shall be in accordance with plans by Keach Nordstrom Associates, Inc. entitled "East Point Park Phase V" dated July 2004, revised 8/30/2004, sheet 7 of 28 for Impact #1; revised plan dated 1/20/05, sheet 8 of 28 for Impacts #2,#3,and #4; revised plan dated 1/20/05, sheet 9 of 28 for Impacts #5 and #6, as received by the Department on 10/8/2004 (8/30/2004 revision) and 1/31/2005 (1/20/2005 revision), respectively.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Culvert outlets shall be properly rip rapped.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), disturbance of less than 200 linear ft. of an intermittent stream, with its distance measured along the thread of the channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02530

EDWARDS, BETH

LISBON Unnamed Wetland

Requested Action:

Dredge and fill a total of 3,100 sq. ft. of wetlands to install one 15" x 20' culvert impacting 480 sq. ft. of wetlands; and install a 36"

x 25' culvert in a perennial stream impacting 2,620 sq. ft. (75 linear ft.), for driveway access to a single residential house lot on a 100-acre lot.

Conservation Commission/Staff Comments:

Con. Com. has no objections.

APPROVE PERMIT:

Dredge and fill a total of 3,100 sq. ft. of wetlands to install one 15" x 20' culvert impacting 480 sq. ft. of wetlands; and install a 36" x 25' culvert in a perennial stream impacting 2,620 sq. ft. (75 linear ft.), for driveway access to a single residential house lot on a 100-acre lot.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife Inc. dated January 28, 2005, as received by the Department on February 1, 2005, and per detail sheet dated February 2005, as received by the Department on February 14, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Culvert outlets shall be properly rip rapped.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of a perennial non-tidal stream, including impacts to its banks and channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant can not access developable upland without crossing the wetlands or stream at some location.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has reduced the wetlands impact from 9,600 square feet to 3,100 square feet by obtaining permission to be within 20' of the abutting property line with this driveway which avoids a larger area of wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02539 SOUHEGAN VALLEY BOYS & GIRLS CLUB
MILFORD Souhegan River

Requested Action:

Applicant requests withdrawal of application to impact 990 sq. ft. of shoreline of the Souhegan River to install a drainage outfall, per letter dated 2/1/2005, as received by DES on 2/3/2005.

Conservation Commission/Staff Comments:

Intervened; did not object to pipe in the river bank itself, however had concerns about changes in stormwater quality flowing from the pipe into the Souhegan. Souhegan River LAC had similar concerns.

Inspection Date: 11/05/2004 by Dori A Wiggin

WITHDRAW APPLICATION:

Applicant requests withdrawal of application to impact 990 sq. ft. of shoreline of the Souhegan River to install a drainage outfall, per letter dated 2/1/2005, as received by DES on 2/3/2005.

With Findings:

1. Applicant shall still be required to demonstrate compliance with the Comprehensive Shoreland Protection Act, RSA 483-B, as requested in item #2 of the DES Request for More Information Letter dated 12/07/2004.

2004-02720 THURSTON, STANLEY
WOODSTOCK Norris Brook

Requested Action:

Dredge and fill 425 sq. ft. (114 linear ft. of channel and banks) of a perennial stream to install 52" x 77" elliptical culvert to construct a driveway crossing to a single family house lot.

Conservation Commission/Staff Comments:

Con. Com. had no objections, and condition requested was incorporated in permit conditions.

APPROVE PERMIT:

Dredge and fill 425 sq. ft. (114 linear ft. of channel and banks) of a perennial stream to install 52" x 77" elliptical culvert to construct a driveway crossing to a single family house lot.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering Inc. dated October 2004, and January 2005, as received by the Department on November 18, 2004, and January 18, 2005, respectively.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. The Woodstock Conservation Commission shall be notified upon completion of the project for a compliance inspection.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), projects that disturb less than 200 linear ft. of a perennial non-tidal stream or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00086

BPV DEVELOPMENT CO., LLC

CAMPTON Unnamed Wetland

Requested Action:

Fill 8,100 square feet of wetland to construct an access road serving a 6-lot residential subdivision on a 56-acre parcel. Protect 8.18 acres of land through the provision of common land and a conservation easement along West Branch Brook.

APPROVE PERMIT:

Fill 8,100 square feet of wetland to construct an access road serving a 6-lot residential subdivision on a 56-acre parcel. Protect 8.18 acres of land through the provision of common land and a conservation easement along West Branch Brook.

With Conditions:

1. All work shall be in accordance with plans by The Louis Berger Group, Inc. dated 12/28/04, as received by the Department on 1/12/05.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
16. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

MINIMUM IMPACT PROJECT

2004-01629 FREEMAN, WANDA
NEW IPSWICH Unnamed Stream

Requested Action:

Dredge and fill approximately 2,965 square feet of palustrine forested wetlands, and install one 5 foot box culvert to provide access to a single family residence.

Conservation Commission/Staff Comments:

Conservation Commission signed the expedited application.

APPROVE PERMIT:

Dredge and fill approximately 2,965 square feet of palustrine forested wetlands, and install one 5 foot box culvert to provide access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by the DGL Contracting Corp for the culvert installation and erosion controls dated July 1, 2004, as received by the Department on July 16, 2004 and driveway location plan and supporting narrative by the applicant as received by the Department on January 20, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. Work shall be done during low flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided documentation to substantiate the proposal for waiving Specific Condition #4 of Wetlands Permit 2001-01436, issued on August 23, 2001.
6. Specific Condition #4 of permit #2001-01436 stated; "There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback."
7. The Department has determined specific condition #4 of permit 2001-01436 placed undo hardship and adverse restriction on the subject property and therefore waives the condition of no further impacts for the construction of a single family driveway access.
8. The Department has determined the proposed impacts will not have a negative impact on the environment as designed.

2005-00060 HUTCHINS, ANN
MEREDITH Unnamed Wetland Lake Waukewan

Requested Action:

Impact 575 square feet of forested wetland to install a 12-inch by 20-foot culvert for access to a single family residential lot on 5.63 acres as part of a 3-lot subdivision of 24.98 acres

Conservation Commission/Staff Comments:

The Meredith Conservation Commission did not sign the PBN.

Inspection Date: 02/02/2005 by Eben M Lewis

APPROVE PERMIT:

Impact 575 square feet of forested wetland to install a 12-inch by 20-foot culvert for access to a single family residential lot on 5.63 acres as part of a 3-lot subdivision of 24.98 acres

With Conditions:

1. All work shall be in accordance with the following plans by David M. Dolan Assoc:
 - a.) The Subdivision Plan of Land dated November 3, 2004 and revised December 13, 2004, as received by the Department on January 12, 2005;
 - b.) The Plan Showing Wetland Impact dated December 3, 2004 and revised February 1, 2005, as received by the Department on February 15, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow conditions.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forest wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2003-02883 NH DEPT OF DRED, DIV OF FORESTS & LANDS
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map 1, Lot# 26

2004-01160 EAMES, JEFFREY & RACHEL D
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield Tax map 404, Lot# 3

2004-02044 CARNEY, THOMAS
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 42, Lot# 2

2005-00189 MANGELS, LINDA
COLEBROOK Unnamed Stream

COMPLETE NOTIFICATION:
Colebrook Tax Map R6, Lot# 37

2005-00234 KHALIL, MASOOD
WOODSTOCK

COMPLETE NOTIFICATION:
Woodstock Tax Map 206, Lot# 51

2005-00237 FERNANDEZ, JEANNE
NORTH CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
North Conway Tax Map 214, Lot# 95

2005-00274 MEADOWSEND TIMBERLANDS LTD
PLAINFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Plainfield Tax Map 12, Lot# 4950

2005-00275 SMITH, PHILIP & GLENICE
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Amherst Tax Map 1, Lot# 18 & 18-1

2005-00276 YATSAEVITCH, GRATIAN
CORNISH Unnamed Stream

COMPLETE NOTIFICATION:
Cornish Tax Map 9, Lot# 7

2005-00278 EARLE, ELIZABETH
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 17, Lot# 7-1

2005-00279 GRAF, WALTER
NEWBURY Unnamed Stream

COMPLETE NOTIFICATION:
Newbury Tax map 44, Lot# 316,433

2005-00280 SPREEMAN, CATHRYN
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Rochester Tax map 117, Lot# 148

2005-00285 DRED, INGE SEABOYER
DERRY Unnamed Stream

COMPLETE NOTIFICATION:
Derry Tax Map 120, Lot# 710 Ballard State Forest

2005-00286 KING JR, FRED
COLUMBIA

COMPLETE NOTIFICATION:
Columbia Tax Map 407, Lot# 24.11 & 25

2005-00287 MALLERY, JOHN
FRANCONIA Unnamed Stream

COMPLETE NOTIFICATION:

Franconia Tax Map 29, Lot# 1

2005-00288 **FLAVIN JR, THOMAS & KAREN**
TROY **Unnamed Stream**

COMPLETE NOTIFICATION:

Troy Tax Map 31, Lot# 8C

EXPEDITED MINIMUM

2004-01939 **KENNEDY-COSTER, DEBORAH**
GILFORD **Lake Winnepesaukee**

Requested Action:

Deny due to un-timely response to More Information Letter.

Conservation Commission/Staff Comments:

Con. Com. signed application

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny due to un-timely response to More Information Letter.

With Findings:

1. A request for additional information dated September 17, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2004-02042 **GYPSY CAMP TRUST, BEVERLY WILSON TTEE**
MEREDITH **Lake Winnepesaukee**

Requested Action:

Approve name change to: Windward Realty Group, LLC,RR2 Box 81-15, Center Harbor, NH 03226 per request received 2/14/2005.

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the minimum impact application form.

APPROVE NAME CHANGE:

Dredge and fill 485 square feet of forested wetland including installation of a 12-inch x 28 foot culvert for access in the proposed

subdivision of 10 acres into two condominium lots and a common lot.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors Inc dated June 20, 2003, and revised through November 24, 2004, as received by the Department on December 1, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental removal of the existing vegetative buffer.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. The culvert outlet shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-02834 BEEBE, EDMOND
GILFORD Lake Winnepesaukee

Requested Action:

Replace existing 4.5 ft by 12 ft 3 in deteriorated wood steps with 4.5 ft by 12 ft 3 in stone access steps and add 65 sqft of plantings to stabilize the side slopes on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Expedited Application

APPROVE PERMIT:

Replace existing 4.5 ft by 12 ft 3 in deteriorated wood steps with 4.5 ft by 12 ft 3 in stone access steps and add 65 sqft of plantings to stabilize the side slopes on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans dated November 5, 2004, as received by the Department on November 22, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Area shall be regraded to original contours following completion of work.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), repair of non-docking structure.
2. The State of New Hampshire Fish and Game will not be submitting comments to the file.

**2004-02870 CROWE, MYLES & CHRISTINE
JACKSON Unnamed Wetland**

Requested Action:

Fill 393 square feet of forested wetland to install a 24-inch by 24-foot culvert for access to a single family residential lot of 1.10 acres as part of a 2-lot subdivision of 2.1 acres.

Conservation Commission/Staff Comments:

The Jackson Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill 393 square feet of forested wetland to install a 24-inch by 24-foot culvert for access to a single family residential lot of 1.10 acres as part of a 2-lot subdivision of 2.1 acres.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company, Inc. dated November 4, 2004, as received by the Department on December 1, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-03094 ROSSITER REVOC TRUST OF 1998, JEANNETTE ROSSITER T
BEDFORD Unnamed Wetland**

Requested Action:

Dredge and fill 540 square feet of wetlands to install a 24" x 40' culvert in a perennial stream to construct a driveway crossing to a single family house lot being subdivided off an existing developed house lot.

Conservation Commission/Staff Comments:

Signed expedited application; submitted further comments supporting 24" culvert.

APPROVE PERMIT:

Dredge and fill 540 square feet of wetlands to install a 24" x 40' culvert in a perennial stream to construct a driveway crossing to a single family house lot being subdivided off an existing developed house lot.

With Conditions:

1. All work shall be in accordance with plans by TF Moran Inc. dated 2/10/05, as received by the Department on 2/15/05.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00037 MUCKIAN, PATRICK
STRAFFORD Unnamed Wetland

Requested Action:

Fill 606 square feet of a roadside drainage ditch to install an 18-inch culvert for access to a single family residential lot on 3.01 acres as part of a 2-lot subdivision of 6.25 acres.

Conservation Commission/Staff Comments:

The Strafford Conservation Commission signed the PBN.

APPROVE PERMIT:

Fill 606 square feet of a roadside drainage ditch to install an 18-inch culvert for access to a single family residential lot on 3.01 acres as part of a 2-lot subdivision of 6.25 acres.

With Conditions:

1. All work shall be in accordance with the Wetland Crossing Plans by Pohopek Land Surveyors & Septic Designers dated January

- 17, 2005 with revisions through December 27, 2004, as received by the Department on January 21, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow conditions.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00131 VARNERIN, PATRICIA
LACONIA Lake Winnepesaukee

Requested Action:

Replace 10 pilings on an existing 8 ft by 60 ft piling supported dock on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace 10 pilings on an existing 8 ft by 60 ft piling supported dock on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on January 20, 2005.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit does not allow for maintenance dredging.
7. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of an existing docking structure.

2005-00158

DOOLEY, DOUGLAS

GILFORD Lake Winnepesaukee

Requested Action:

Replace two 6 ft x 30 ft piling piers connected by a 4 ft x 12 ft walkway in a "U-shaped" configuration accessed by a 4 ft x 6 ft ramp in kind and install a seasonal PWC lift adjacent to the northerly finger pier on 165 feet of frontage on Governors Island, Lake Winnepesaukee.

APPROVE PERMIT:

Replace two 6 ft x 30 ft piling piers connected by a 4 ft x 12 ft walkway in a "U-shaped" configuration accessed by a 4 ft x 6 ft ramp in kind and install a seasonal PWC lift adjacent to the northerly finger pier on 165 feet of frontage on Governors Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated January 18, 2005, as received by the Department on January 25, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. This permit does not allow for maintenance dredging.
10. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
11. The seasonal lift shall be removed for the non-boating season.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

LAKES-SEASONAL DOCK NOTIF

2004-01167 HALSEY, SHELIA
MEREDITH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Meredith Tax Map U17, Lot# 14

2005-00294 WICKS FAMILY REALTY TRUST, PATRICIA WICKS TTEE
MEREDITH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Meredith Tax Map U1, Lot# 41A Lake Winnepesaukee

SHORELAND VARIANCE / WAIV

2005-00043 STONE, PHILIP
MOULTONBOROUGH Lake Kanasatka

Requested Action:

Improve the stormwater management by directing runoff to a proposed vegetated area away from surface waters on the frontage and vegetate potential erosion areas within the 50 ft of the reference line and increase the ridgeline height 7 ft for the expansion of existing second floor to a nonconforming structure within the 50 ft primary building setback to surface waters.

APPROVE CSPA WAIVER:

Improve the stormwater management by directing runoff to a proposed vegetated area away from surface waters on the frontage and vegetate potential erosion areas within the 50 ft of the reference line and increase the ridgeline height 7 ft for the expansion of existing second floor to a nonconforming structure within the 50 ft primary building setback to surface waters.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on February 4, 2005, and vegetation plans February 7, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. No portion of the proposed expansion shall encroach closer further onto the reference line.
5. All proposed plantings shall be native, no exotics or invasive species shall be planted.
6. Vegetation plan shall be implemented prior to primary building's interior construction.

7. Photographic documentation of the proposed construction and vegetation shall be submitted to the Wetlands Bureau subsequent to project completion.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Lake Kanasatka and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to improve the stormwater management by redirecting surface water runoff, and vegetating potential erosion areas and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11.

2005-00138 HOYT, MICHAEL
ALTON Half Moon Lake

Requested Action:

Improve the wastewater treatment by replacing an old failing septic system with an updated septic system , and increase the primary structure's ridgeline height 12.5 ft from 17.5 ft to 30 ft and alter the primary building's dimensions from 25 ft x 45 ft to 26 ft x 44 ft, with no change to square footage.

APPROVE CSPA WAIVER:

Improve the wastewater treatment by replacing an old failing septic system with an updated septic system , and increase the primary structure's ridgeline height 12.5 ft from 17.5 ft to 30 ft and alter the primary building's dimensions from 25 ft x 45 ft to 26 ft x 44 ft, with no change to square footage.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on January 31, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. New improved septic system shall be functional and servicing the primary building prior to interior construction.
5. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.

7. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
8. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Half-Moon Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to improve the wastewater treatment by replacing a failing septic system with an updated septic system and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11.
4. Subsurface approved the septic plans on May 13, 2003, with an approval number of CA2003052311.

2005-00180 LARSON, FRED AND KATHLEEN
BELMONT Silver Lake

Requested Action:

Improve the stormwater management by vegetating potential erosive areas along the shoreline, install 35 linear ft of retaining wall to divert surface water runoff away from the existing beach and vegetate along the length of the retaining wall, install gutters to divert roof runoff away from surface waters, install dripstone along the eaves line and relocate nonconforming structure to maintain pre-existing primary building setback of 29.2 ft from the reference line to expand the primary building's footprint 260 sq ft from 687 sq ft to 947 sq ft

APPROVE CSPA WAIVER:

Improve the stormwater management by vegetating potential erosive areas along the shoreline, install 35 linear ft of retaining wall to divert surface water runoff away from the existing beach and vegetate along the length of the retaining wall, install gutters to divert roof runoff away from surface waters, install dripstone along the eaves line and relocate nonconforming structure to maintain pre-existing primary building setback of 29.2 ft from the reference line to expand the primary building's footprint 260 sq ft from 687 sq ft to 947 sq ft

With Conditions:

1. All work shall be conducted in accordance with plans and vegetation plans as received by the department on February 9, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. Vegetative plan shall be implemented prior to interior construction.
5. All proposed vegetation shall be native species. No exotics or invasive species shall be planted.
6. No portion of the proposed primary building shall encroach closer than 29.2 ft from the reference line on Silver Lake.
7. Photographic documentation shall be submitted subsequent to proposed project completion.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.

10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Silver Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to improve the stormwater management by vegetating potential erosive areas along the shoreline, install 35 linear ft of retaining wall to divert surface water runoff away from the existing beach and vegetate along the length of the retaining wall, install gutters to divert roof runoff away from surface waters, and install dripstone along the eaves line and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B:11.

PERMIT BY NOTIFICATION

2004-02399 KING PINE LODGES OF WOLFEBORO CONDOMINIUM
WOLFEBORO Crescent Lake

Requested Action:

In-kind repair/replacement of existing docking structures on Crescent Lake with approximately 200 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind repair/replacement of existing docking structures on Crescent Lake with approximately 200 feet of shoreline frontage.

2004-02856 MCMAHAN, DENNIS/JOAN
BEDFORD Unnamed Wetland

Requested Action:

Impact 40 square feet of forested wetland to install underground residential utility lines for a single family residential lot on 4.01 acres.

Conservation Commission/Staff Comments:

The Bedford Conservation Commission DID NOT sign the PBN.

PBN IS COMPLETE:

Impact 40 square feet of forested wetland to install underground residential utility lines for a single family residential lot on 4.01

acres.

2005-00059 FROST FAMILY LLC
WOODSTOCK Unnamed Stream

Requested Action:

Fill a total of 550 square feet including 222 square feet of impact within the bed and banks of an intermittent stream to install a 12-inch culvert and impact 328 square feet of Norris Brook to install a 24-inch culvert for access a single family residential lot on 2.5 acres.

Conservation Commission/Staff Comments:

The Woodstock Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

Fill a total of 550 square feet including 222 square feet of impact within the bed and banks of an intermittent stream to install a 12-inch culvert and impact 328 square feet of Norris Brook to install a 24-inch culvert for access a single family residential lot on 2.5 acres.

2005-00238 HIGGINS, DALE & SUSAN
WINDHAM Unnamed Wetland

Requested Action:

Impact 440 square feet within the bed and banks of an intermittent stream to install a residential utility line to a single family residential lot.

Conservation Commission/Staff Comments:

The Windham Conservation Commission signed the PBN.

PBN IS COMPLETE:

Impact 440 square feet within the bed and banks of an intermittent stream to install a residential utility line to a single family residential lot.

2005-00239 RITZ, ROBERT
HOLDERNESS

Requested Action:

Impact 6 linear feet of bank to install a 6'x3'x2' concrete anchoring pad for a hinged 6'x40' seasonal dock on Squam Lake with 91 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Holderness Conservation Commission signed the PBN

PBN IS COMPLETE:

Impact 6 linear feet of bank to install a 6'x3'x2' concrete anchoring pad for a hinged 6'x40' seasonal dock on Squam Lake with 91 feet of shoreline frontage.

2005-00256 CAIRNS, CHRISTOPHER
NEW DURHAM Meerymeeting Lake

Requested Action:

In-kind repair to 100 linear feet of an existing retaining wall on Merrymeeting Lake with 100 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The New Durham Conservation Commission DID NOT sign the PBN.

PBN IS COMPLETE:

In-kind repair to 100 linear feet of an existing retaining wall on Merrymeeting Lake with 100 feet of shoreline frontage.

2005-00257 TURNER, LESLIE
NEW DURHAM Unnamed Stream

Requested Action:

Impact 300 square feet within the banks of an intermittent stream to install a bridge for access to a single family residential lot on 7.4 acres.

Conservation Commission/Staff Comments:

The New Durham Conservation Commission DID NOT sign the PBN.

PBN IS COMPLETE:

Impact 300 square feet within the banks of an intermittent stream to install a bridge for access to a single family residential lot on 7.4 acres.